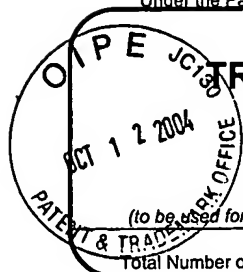


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/076,634

Filing Date

February 19, 2002

First Named Inventor

Paul HABERMANN et al.

Art Unit

1645

Examiner Name

DUFFY, Patricia A.

Attorney Docket Number

DEAV2001/0009 US NP

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☐Other Enclosure(s) (please identify
below):**Remarks**

1. PTO-1449
2. US 5,316,947
3. DE 34 30 556
4. WO 02/04486
5. US 5,824,505
6. AU 726264

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

AVENTIS PHARMACEUTICALS INC.

Signature

Printed name

Joel B. German

Date

October 8, 2004

Reg. No.

48,676

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Jonas Pierre, Sr.

Date

October 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

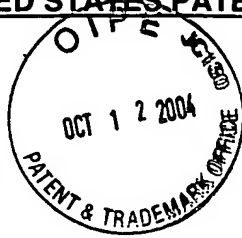
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HABERMANN, et al.

Application No.: **10/076,634**

Filed: **February 19, 2002**

Title: **FUSION PROTEINS CAPABLE OF BEING
SECRETED INTO A FERMENTATION
MEDIUM**



Examiner: **DUFFY, Patricia A.**

Art Unit: **1645**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 8, 2004

Date of Deposit

Signature

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☐ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☒ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☒ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

In the Office Action dated June 16, 2004, the Examiner indicated that she did not review certain foreign-language references because the Applicants did not submit with them a statement in English of their relevance. The Applicants submit that information now.

European Patent Application No. 0 158 564 corresponds to U.S. Patent No. 5,824,505 and European Patent Application No. 0 549 915 corresponds to U.S. Patent No. 5,316,947. European Patent Application No. 0 775 710 corresponds to Australian Patent No. 726264. The Applicants submit in the accompanying IDS those three (3) patents.

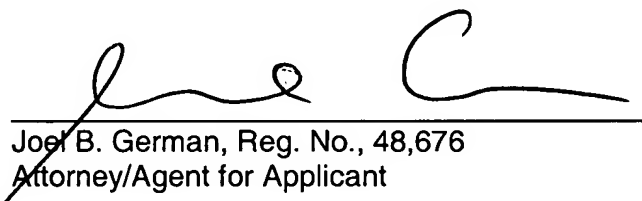
German Patent Application No. 100 33 195 corresponds to PCT Patent Application No. WO 02/04486; the Applicants submit the PCT application as well. As to German Patent Application No. 100 33 195, the Applicants provide the following translation of its abstract:

The invention relates to bi-functional fusion proteins, comprising hirudin, or a variant of hirudin and TAP (Tick Anticoagulant Peptide) or a variant of TAP, the production and use of bi-functional fusion proteins and medicaments containing said bi-functional proteins.

As to German Patent Application No. 34 30 556, the Applicants provide the following translation of its abstract:

The invention relates to a process for purifying dimethyl terephthalate (DMT). A DMT-containing mixture is used whose DMT content is above the DMT content of the eutectic composition. The DMT-containing mixture is melted and the DMT is allowed to crystallise out by cooling, but without the DMT content in the impurities reaching the eutectic composition.

Respectfully submitted,



Joel B. German, Reg. No., 48,676
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-**3444**
Telefax (908) 231-2626
Aventis Docket No. DEAV2001/0009 US NP

